

REMARKS

The Office Action dated January 25, 2008, has been received and carefully noted. The above amendments to the specification and claims, and the following remarks, are submitted as a full and complete response thereto.

Claim 1-9 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claim 10 has been added. No new matter has been added. Claims 1-10 are respectfully submitted for consideration.

The Office Action indicated that claims 2-7 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that claims 2-7 are novel and unobvious over the cited references in view of the amendments to the independent claims.

The drawings were objected to as failing to comply with 37 C.F.R. 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: (page 10, line 7) element number S134. In response, the specification has been amended to change "steps S131-S134" to "steps S131-S133" because the step S134 was nowhere to be found in Fig. 1 of the present application. As such, it is respectfully requested that the objection to the drawings be withdrawn in light of the above amendments to the specification.

The specification was objected to because of informalities. Specifically, the Office Action indicated that the abstract should be in narrative form and generally limited

to a single paragraph on a separate sheet within the range of 50 to 150 words. Further, the Office Action indicated the abstract should not contain the words such as “means” and “said.” In response, the abstract has been amended to correct the informalities as suggested by the Office Action. As such, it is respectfully requested that the objection to the specification be withdrawn.

Claims 1 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0031635 of Bharatia (Bharatia) in view of U.S. Patent No. 6,546,247 of Foti et al. (Foti I) and further in view of U.S. Patent No. 6,751,204 of Foti et al. (Foti II). The Office Action asserted that Bharatia, Foti I, and Foti II disclose all of the elements of claims 1 and 8. This rejection is respectfully traversed.

Independent claim 1, upon which claims 2-7 and 10 are dependent, recites a method that includes receiving an invitation for a subscriber for a call by at least one call state control functionality implemented in an internet protocol based domain. The method also includes obtaining a profile of said subscriber from a home subscriber server at the call state control functionality. The method further includes requesting further routing information from said home subscriber server. The method additionally includes requesting a switching center within said circuit switched domain currently visited by said subscriber for a roaming number by said home subscriber server. The method includes returning said roaming number of said subscriber to said home subscriber server by said visited center. The method includes returning said roaming number as said

further routing information from said home subscriber server to said call state control functionality. The method includes establishing said call via a gateway configured to connect said domains as well as via said visited switching center to said subscriber.

Independent claim 8 recites an apparatus that includes an invitation receiver configured to receive an invitation for a subscriber for a call within an internet protocol based domains. The apparatus also includes a profile receiver configured to receive a profile of said subscriber. The apparatus further includes a roaming number receiver configured to receive a roaming number. The apparatus includes an establisher configured to establish said call via a gateway to said subscriber.

Independent claim 9 recites an apparatus that includes an internet protocol multimedia part and a home location registering part interfaced to each other. The internet protocol multimedia part comprises profile provision circuitry configured to provide the profile of a subscriber and a roaming number as routing information. The home location registering part comprises a requester configured to request roaming number from a circuit switched domain, and a receiver configured to receive the roaming number from the circuit switched domain.

As will be discussed below, Applicants respectfully submit that the cited references fail to disclose or suggest all of the features of the presently pending claims.

The Office Action relied on Bharatia, Foti I, and Foti II and sought to piece together the subject matter of the present independent claims from the cited art in a mosaic-like manner. Furthermore, most notably, the Office Action interpreted Bharatia in

an inappropriate manner and provides the skilled person with motivation which does not arise from the teaching conveyed by Bharatia.

Specifically, the Office Action refers to Figs. 1A and 1B of Bharatia to disclose the method according to present claim 1 and the apparatuses according to claims 8 and 9 which are configured to execute this method.

However, Figs. 1A and 1B of Bharatia merely disclose the system context of the teaching conveyed by Bharatia, but not in any method steps. Actually, such method steps are only disclosed in connection with Figs. 2 to 9 of Bharatia. It is to be noted that the steps as recited in present claim 1 detail those which enable to route the termination of a call from an IP based domain to a circuit switched domain where the user is, though subscriber to the IP domain, presently not registered thereat (see e.g. paragraph [0019] of the present application).

However, when considering Figs. 2 to 9 and corresponding description of Bharatia (for an overview, see paragraphs [0029] to [0035] thereof), it would seem that only few of them actually consider involving a circuit switched network, and those which actually appear to do so show a method step flow that is, for a start, different from the feature combination of present claim 1.

Furthermore, of the method step flows of Bharatia, only Figs. 6 to 9 consider involving a circuit switched network (what the disclosed “2G (legacy) network” seems to be). However, of these, only Fig. 9 considers the termination of a call to a subscriber which at present would actually be located within a CS network.

When considering Fig. 9 of Bharatia, its teaching seems to be completely different from the subject matter defined with present claim 1. Moreover, Fig. 9 of Bharatia well defines acquisition of a roaming number so that any motivation for the skilled person to refer to Foti I and Foti II appears to be obviated. On the other hand, it is not apparent in which manner and by which motivation the skilled person would modify the teaching of Fig. 9 of Bharatia to arrive at the claimed subject matter.

In this connection, the Office Action should be reminded to use caution when interpreting the prior art. For example, receipt of an invitation for a call for a subscriber might only be disclosed or suggested by Bharatia inasmuch as the termination of a call is disclosed. As explained above, however, this is only the case with Fig. 9. Further, Fig. 9 does not disclose receiving an invitation for a call by a CSCF. Thus, only serving as an example of the deficiencies of Bharatia, already this first step of present claim 1 cannot be reasonably held to be disclosed to the person of ordinary skill in the art.

In general, it can be said that, as explained in the introductory part of the present application, certain embodiments of the present invention seek to provide a solution for the particular case of routing terminated calls from IP domain to CS domain.

According to this premise, the elements defined in the present claims interact with each other. However, the cited references fail to disclose the same interaction in the same manner.

Therefore, Bharatia, Foti I, and Foti II fail to disclose or suggest, at least, “receiving an invitation for a subscriber for a call by at least one call state control

functionality implemented in an internet protocol based domain,” as recited in independent claims 1 and 8. As such, it is respectfully requested that the rejection to claims 1 and 8 be withdrawn.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bharatia in view of Foti I. The Office Action asserted that Bharatia and Foti I describe all of the features of claim 9. This rejection is respectfully traversed.

As discussed above, Bharatia and Foti I do not disclose or suggest all of the features of amended independent claim 9. For example, Bharatia and Foti I fail to disclose or suggest, at least, “wherein the internet protocol multimedia part comprises profile provision circuitry configured to provide the profile of a subscriber and a roaming number as routing information” and “wherein said home location registering part comprises a requester configured to request a roaming number from a circuit switched domain, and a receiver configured to receive the roaming number from the circuit switched domain,” as recited in claim 9. Thus, it is respectfully requested that the rejection of claim 9 be withdrawn.

For the reasons explained above, it is respectfully submitted that each of claims 1-10 recites subject matter that is neither disclosed nor suggested in the cited art. Also, it is respectfully submitted that the subject matter is more than sufficient to render the claimed invention unobvious to a person of ordinary skill in the art. It is, therefore, respectfully requested that all of claims 1-10 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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